

PROB 12C
(7/93)

United States District Court
for
District of New Jersey
Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Paul Levinsky

Docket Number: 08-00558-004

PACTS Number: 45230

Name of Sentencing Judicial Officer: HONORABLE Frederick J. Scullin

On August 11, 2008, the case was transferred to the District of New Jersey with The Honorable Stanley R. Chesler.

Date of Original Sentence: 09/05/2007

Original Offense: CONSPIRACY TO POSSESS WITH INTENT TO DISTRIBUTE MARIJUANA, 21 U.S.C 846

Original Sentence: 24 months imprisonment; 2 years supervised release.- drug aftercare- mental health aftercare

Type of Supervision: supervised release

Date Supervision Commenced: 6/10/08

Assistant U.S. Attorney: To be assigned

Defense Attorney: To be assigned

PETITIONING THE COURT

☐ To issue a warrant

☒ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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- | | |
|----|--|
| 1. | The offender has violated the supervision condition which states ' You shall not commit another federal, state, or local crime. ' |
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On June 15, 2009, the offender was arrested by members of the Neptune Township Police Department and charged with Possession of a Controlled Substance, namely Heroin and Marijuana in violation of N.J. State 2C: 35:10A(1).

2. The offender has violated the supervision condition which states ‘ **You shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer.**’

On Tuesday June 23, 2009, the offender contacted the undersigned and stated that he had been arrested by the Neptune Township Police Department and charged with Possession of CDS, “sometime last week.” He reported that he knew it was past the 72 hours that he had to notify our office of the arrest but wanted to contact the undersigned nonetheless, to inform our office of the arrest.

3. The offender has violated the supervision condition which states ‘ **You shall report to the probation officer as directed by the Court or probation officer, and shall submit a truthful and complete written report within the first five days of each month.**’

On June 23, 2009, the undersigned was contacted telephonically by the offender. He informed the undersigned that he had been arrested and that he had relapsed. He admitted that he had been drinking alcohol and using heroin. He was instructed to report to the United States Probation Office on Thursday June 25, 2009. He failed to do so.

4. The offender has violated the supervision condition which states **The defendant shall refrain from the illegal possession and/or use of drugs and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that the defendant shall submit to drug treatment, on an outpatient or inpatient basis, as directed by the U.S. Probation Office. The defendant shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged with the approval of the U.S. Probation Office.**’

On Saturday July 3rd, the offender submitted a urine sample which tested positive for Alcohol, Marijuana and Opiates (Morphine).

The offender admitted that he had been drinking alcohol and using heroin and smoking marijuana previous to the office appointment.


On Saturday, July 10, 2009, the offender submitted a urine sample with tested positive for marijuana.

The offender admitted that he had smoked marijuana the Sunday prior to the July 10, 2009, office appointment

5. The offender has violated the supervision condition which states **The defendant shall participate in a mental health program for evaluation and/or treatment as directed by the U.S. Probation Office. The defendant shall remain in treatment until satisfactorily discharged and with the approval of the U.S. Probation Office.**’

On April 30, 2009, the offender entered individual mental health counseling at Catholic Charities, Red Bank, N.J. On June 25, 2009, after missing his scheduled appointment, the offender was administratively discharged from treatment.

I declare under penalty of perjury that the foregoing is true and correct.

By: Donald G. Hewins 
Senior U.S. Probation Officer
Date: 8/4/09

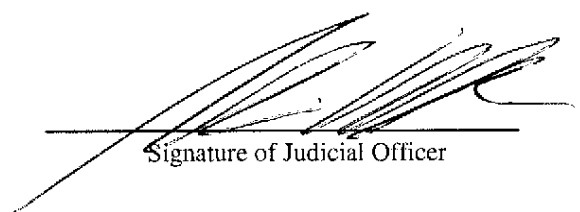
THE COURT ORDERS:

☐ The Issuance of a Warrant

☒ The Issuance of a Summons. Date of Hearing: 8/19/09 @ 10:00

☐ No Action

☐ Other



Signature of Judicial Officer

August 12, 2009

Date